

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Educators	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Emma S. King	)	
	)	
Certificate # 211807	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2004. On February 26, 2004, the State Department of Education (Department) sent Ms. Emma S. King a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. King received the notice, as evidenced by the signed postal receipt. Ms. King did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. King, the State Board voted to suspend Ms. King's certificate for one year.

### FINDINGS OF FACT

Ms. King holds a valid certificate, and has one year of teaching experience. Ms. King was under contract with Greenville County School District (District) for the 2003-2004 school year, as a third grade teacher at Cone/Sans Souci Elementary. On January 19, 2004, the principal of Cone/Sans Souci Elementary received a letter of resignation from Ms. King, effective January 22, 2004. In her letter Ms. King did not indicate why she resigned in her position. The District Superintendent wrote Ms. King on February 4, 2004, and stated that he would recommend a one-year suspension of her certificate to the State Board.

On February 10, 2004, the Board of Trustees of the School District of Greenville County voted to file a complaint with the State Board seeking the suspension of Ms. King's certificate for breach of contract.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. King's certificate # 211807 for a period of one year from January 23, 2004 through January 22, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. King may make a written request for reinstatement to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

April 13, 2004